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THE TIMBERLAND COMPANY
(Correctly named and identified as Timberland Retail, Inc.)

E-filed 9/19/07

MORRIS AND ASSOCIATES
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Attorneys for Plaintiff
DAVID LEE

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

DAVID LEE, an individual, on behalf of
himself and on behalf of others similarly
situated,

Plaintiffs,

v.

THE TIMBERLAND COMPANY, a New
Hampshire corporation conducting business
in the State of California, and Does 1-100,

Defendants.

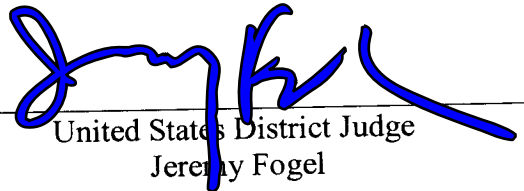
Case No. 5:07-cv-02367 JF

Judge: Jeremy Fogel

ORDER GRANTING JOINT MOTION FOR
NOTICE TO POTENTIAL CLASS
MEMBERS

1 Presently pending before the Court is a Joint Motion for Notice to Potential Class Members.
2 The Court determines that the Motion should be Granted. Accordingly, the Court approves the form of
3 Notice attached hereto as Exhibit A, and permits Plaintiff to issue notice to potential class members
4 using that form of Notice.

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6 **SO ORDERED** this 19th day of September, 2007.

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8 United States District Judge
9 Jeremy Fogel
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PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF SAN FRANCISCO

I am employed in the County of San Francisco, State of California. I am over the age of 18 and not a party to the within action; my business address is: 580 California Street, Suite 1500, San Francisco, California 94104. On September 17, 2007, I served the foregoing document(s) described as:

ORDER GRANTING JOINT MOTION FOR NOTICE TO POTENTIAL CLASS MEMBERS

on the interested party(ies) below, using the following means:

Stephen B. Morris
Mark C. Hinkley
MORRIS AND ASSOCIATES
444 West C Street, Suite 300
San Diego, California 92101

Walter Haines
UNITED EMPLOYEES LAW GROUP
65 Pine Avenue, #312
Long Beach, CA 90802

☒ BY UNITED STATES MAIL I enclosed the documents in a sealed envelope or package addressed to the respective address(es) of the party(ies) stated above and placed the envelope(s) for collection and mailing, following our ordinary business practices. I am readily familiar with the firm's practice of collection and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service, in a sealed envelope with postage fully prepaid at San Francisco, California.

☐ BY OVERNIGHT DELIVERY I enclosed the document(s) in an envelope or package provided by an overnight delivery carrier and addressed to the respective address(es) of the party(ies) stated above. I placed the envelope or package for collection and overnight delivery at an office or a regularly utilized drop box of the overnight delivery carrier.

☐ BY MESSENGER SERVICE I served the documents by placing them in an envelope or package addressed to the respective address(es) of the party(ies) stated above and providing them to a professional messenger service for service.

☐ BY FAX Based on an agreement of the parties to accept service by fax transmission, I faxed the documents to the respective fax number(s) of the party(ies) as stated above. No error was reported by the fax machine that I used. A copy of the record of the fax transmission(s), which I printed out, is attached.

☐ BY ELECTRONIC MAIL OR ELECTRONIC TRANSMISSION. Based on a court order or an agreement of the parties to accept service by e-mail or electronic transmission, I caused the document(s) to be sent to the respective e-mail address(es) of the party(ies) as stated above. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

Executed on September 17, 2007, at San Francisco, California.

HOLLY B. TOSCHI

[Print Name of Person Executing Proof]

[Signature]